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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,835	12/07/2000	Keng Tiong Tan	19441.0004	8724
23517	7590	05/19/2005	EXAMINER	
SWIDLER BERLIN LLP 3000 K STREET, NW BOX IP WASHINGTON, DC 20007			TRAN, KHAI	
			ART UNIT	PAPER NUMBER
			2637	

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/730,835

Applicant(s)

TAN, KENG TIONG

Examiner

KHAI TRAN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-122 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 66-75 and 88-122 is/are allowed.
- 6) ☒ Claim(s) 1-6, 22-26, 43-54, 58-62 and 76 is/are rejected.
- 7) ☒ Claim(s) 7-21, 27-42, 55-57, 63-65, 77-87 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. The amendment filed 12/27/2004 has been entered. Claims 1-122 are pending in this Office action.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-6, 22-26, 43-47, 48-53, 54, 58, 59-61, 62, 76 remain rejected under 35 U.S.C. 102(e) as being anticipated by Jedwab et al (U.S. Pat. 6,373,859).

Regarding claims 1, 6, Jedwab et al disclose a method for coding a code division multiple access signal based on Go-CDMA codes, comprising: providing majority coding blocks, each block comprising a Go-CDMA matrix; coding a data

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message based on the majority coding blocks (the block code with which data are encoded contains a sufficiently large number of different code words to enable a usefully high data transfer rate to be attained, the encoder 60 as shown in Fig.8, see col. 11, lines 17-21; and Jedwab et al further disclose in col. 4, lines 25-56, a step of encoding each data word in accordance with its value and code words selected in complete cosets, for desired peak-to-mean envelope power ratio characteristics of transmission, from a set one or more cosets of a linear sub-code of a code having generator matrix); and a step of transmitting the code data message over a communication channel (a modulator 32/38 of the transmitter (TX) as shown in Fig. 6).

Regarding claims 2-5, Jedwab et al also disclose the majority coding blocks comprising a single coding stage, at least two or three coding stages, more than three coding stages (see col. 24, lines 10-67).

Claims 22-26 are similar to claims 1-5, Jedwab et al also disclose a decoder (54) for performing step of decoding a data message from the signal based on the majority coding blocks.

Claims 43-44, and 47 are similar to claims 1-5, and 22. Therefore, claims 43-44 and 47 are rejected under a similar rationale.

Regarding claims 45-46, Jedwab et al disclose that the method is executed at a mobile station and base station (see Fig. 1, comprising a mobile station (12) and a base station (10)).

Claims 48-51 are similar to claims 1, 45-46. Therefore, claims 48-51 are rejected under a similar rationale.

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Regarding claims 52-53, the claim 52 is similar to claim 1. Jedwab et al further disclose a step of scrambling the coded data message based on random codes (see col. 9, lines 11-38).

Claims 54, 58 are similar to claims 45-46. Therefore, claims 54 and 55 are rejected under a similar rationale.

Regarding claims 59-60, Jedwab et al disclose the data message being associated with different mobile units (see col. 8, lines 27-41).

Claim 61 is similar to claims 52-53. Therefore, claim 61 is rejected under a similar rationale.

Claim 62 is similar to claim 22, Jedwab et al also disclose a decoder (54) for performing step of decoding a data message based on the GO-CDMA codes.

Regarding claim 76 is similar to claim 62. Therefore, claim 76 is rejected under a similar rationale.

Response to Arguments

3. Applicant's arguments filed 12/27/2004 have been fully considered but they are not persuasive.

Applicant asserts that Jedwab does not disclose the use of a Go-matrix, however, for operation. To contrary, Jedwab teaches the use of different codes and thus does not teach or anticipate embodiments of the present invention.

Response to Appicant's argument, Examiner states that in the recited preamble, it recites the Go-CDMA codes, and also the Go-CDMA matrix contains many different codes (see Figures 5, 8,9). Therefore, the claims remain rejected and anticipated by Jedwab.

Allowable Subject Matter

4. Claims 66-75, 88-122 are allowed.
5. Claims 7-21, 27-42, 55-57, 63-65, 77-87 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAI TRAN whose telephone number is (571) 272-3019. The examiner can normally be reached on 7:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JAY PATEL can be reached on (571) 272-2988. The fax

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phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KHAI TRAN
Primary Examiner
Art Unit 2637

KT
May 17, 2005